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Crl.O.P.No.672 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.672 of 2025

1.R.Tamilarasu
2.Muniswaran

.... Petitioners

Vs

The Inspector of Police,
Tirupattur PEW Police Station,
Tirupattur District.
(Crime No.642 of 2024)

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 642 of 2024 on the file of the respondent police.

For Petitioner	:	Mr.Prema Kumari
For Respondent	:	Mr.S.Santhosh
		Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No. 642 of 2024 registered for the offences punishable under Sections 4(1)(A), 4(1-A)(ii) of TNP Act, the present petition has been filed seeking anticipatory bail.



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2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioners were found to be in illegal possession of 576 bottles of Carnival xxx Rum, each containing 180 ml. He further submitted that the petitioners have no previous cases pending against them.

4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Tirupattur District, on condition that the petitioners shall execute a



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bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police on everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index : Yes/No
Internet : Yes/No
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A.D.JAGADISH CHANDIRA,J.

To

1.The Inspector of Police,
Tirupattur PEW Police Station,
Tirupattur District.

2.The Public Prosecutor,
High Court, Madras.

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